



STATE OF NEW JERSEY

| | | |
|------------------------------------|---|------------------------------------|
| In the Matter of Michael Mullaney, | : | FINAL ADMINISTRATIVE ACTION |
| Senior Claims Examiner | : | OF THE |
| Unemployment and Disability | : | CIVIL SERVICE COMMISSION |
| Insurance (PS4396N), Department of | : | |
| Labor and Workforce Development | : | Examination Appeal |
| | : | |
| CSC Docket No. 2018-2503 | : | |
| | : | |
| | : | |
| | : | |

ISSUED: JULY 24, 2018 (CSM)

Michael Mullaney appeals the validity of the promotional examination for Senior Claims Examiner Unemployment and Disability Insurance (PS4396N), Department of Labor and Workforce Development.

By way of background, the subject examination was conducted on January 25, 2018 and consisted of 60 multiple choice questions. Candidates were required to achieve a minimum raw score of 39 to pass the examination. The appellant achieved a raw score of 38. As such, he did not achieve a passing score. A total of 81 employees applied for the subject examination that resulted in a list of 53 eligibles with an expiration date of February 28, 2021.

On appeal, the appellant states that the test content was not appropriate for the subject title. In this regard, he argues that at least 10 questions only dealt with disability claims and none of the questions were for unemployment claims. Therefore, since the title being tested is Senior Claims Examiner Unemployment and Disability Insurance, the appellant maintains that there should have been questions for dealing with unemployment insurance as well. In this regard, he notes that incumbents in this title work in either disability or unemployment, but not in both areas. As such, the appellant contends that the examination only favored disability examiners since there were no job specific questions that were related to unemployment.

CONCLUSION

Initially, it is noted that a job analysis was conducted by Subject Matter Experts (SMEs), individuals who are most familiar with the duties of a Senior Claims Examiner Unemployment and Disability Insurance. The results of this analysis identified the underlying Knowledge Skills and Abilities (KSAs) needed to successfully perform the duties of the title. Specifically, it was determined that effectiveness of expression, interpersonal relations, rules and regulations, analysis of information, planning and organizing, and interviewing were areas to be tested for Senior Claims Examiner Unemployment and Disability Insurance. The questions on the examination were created to test the identified KSAs.

The appellant maintains that the examination did not reflect the required KSAs in the job specification in that it primarily covered the areas of disability and not unemployment. In this regard, he states that at least 10 questions only dealt with disability claims, but none of the questions dealt with unemployment. Although questions 31 through 40 referred candidates to review a chart of claimants who had recently filed new disability insurance claims, these questions were designed to measure the ability to analyze information. Moreover, the directions specifically indicated that no previous knowledge of the subject matter was required to answer the questions to correctly and that candidates were to only use the information provided in the stimulus material to answer the questions. As indicated earlier, this examination evaluated KSAs contained in the job specification for Senior Claims Examiner Unemployment and Disability Insurance that were required to successfully perform the duties of the title.

Additionally, this agency does not write specialized exams for one particular position. Examinations are developed to measure the KSAs for the general duties of the title and the test content must fairly test all candidates who meet the requirements to be eligible to take the examination. In this regard, the appellant was not the only candidate who participated in this examination, as it was also utilized for examinations for Senior Claims Adjudicator Disability Determinations (PS4388N); Claims Examiner Unemployment and Disability Insurance (PS5166N); as well as the subject examination. Thus, it is imperative that examinations test KSAs related to the duties of a *title*, not the duties of *specific positions*. See *In the Matter of Donald Cole*, Docket No. A-5499-02T2 (App. Div. January 7, 2004). Therefore, the examination questions were appropriate for this title.

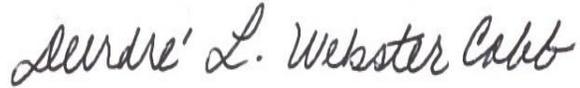
A thorough review of all material presented indicates that the appellant has not supported her burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON THE
18TH DAY OF JULY, 2018



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Michael Mullaney
Michael Johnson
Records Center